

# ANNOUNCEMENT

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## **PROPOSED RECLAIMED WATER RULE REVISIONS PUBLIC HEARINGS: MARCH 23, MARCH 25, AND MARCH 30, 2010**

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The North Carolina Division of Water Quality (NCDWQ), on behalf of the North Carolina Environmental Management Commission (EMC), will conduct three public hearings in order to receive public comments on the proposed adoption of new Reclaimed Water Rules – 15A NCAC 02U; the proposed amendments to Non-Discharge Rules 15A NCAC 02T .0113 and .0506; and the proposed repeal of the existing Reclaimed Water Rules, 15A NCAC 02T .0901-.0915. The public hearings are scheduled as follows:

### Greenville Area:

Date: Tuesday, March 23, 2010  
Registration: 6:30 PM  
Start Time: 7:00 PM

Location: Pitt Community College  
Goess Building  
1986 Pitt Tech Road  
Winterville, NC 28590

### Raleigh:

Date: Thursday, March 25, 2010  
Registration: 6:30 PM  
Start Time: 7:00 PM

Location: Archdale Building  
Ground Floor Hearing Room  
512 N. Salisbury Street  
Raleigh, NC 27604

### Asheville:

Date: Tuesday, March 30, 2010  
Registration: 6:30 PM  
Start Time: 7:00 PM

Location: Asheville-Buncombe Technical College – Asheville Campus  
Thomas W. Simpson Administrative Building  
340 Victoria Road  
Asheville, NC 28801

G.S. 143-355.5, as part of Session Law 2008-143, states that it is the public policy of the State to reuse treated wastewater or reclaimed water to meet the existing and future water supply needs of the State. The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215.1(d2) in an approved wastewater reuse program can provide water for many beneficial purposes in a way that is both environmentally acceptable and protective of public health. Additionally, the Statute directs the Commission to encourage and promote safe and beneficial reuse of treated wastewater as an alternative to surface water discharges, and to adopt rules to identify acceptable uses of reclaimed water, facilitate the permitting of reclaimed water systems, and establish standards for reclaimed water systems that are adequate to prevent the direct distribution of reclaimed water as potable water. The proposed adoption of 15A NCAC 02U, amendments to 15A NCAC 02T .0113 and .0506, and repeal of 15A NCAC 02T .0901-.0915 furthers the facilitation of reclaimed water use in North Carolina and fulfills the directive of G.S. 143-355.5.

### **GENERAL DESCRIPTION OF THE PROPOSED ADOPTION OF SUBCHAPTER 15A NCAC 02U**

The proposed adoption of the new 15A NCAC 02U subchapter clarifies existing reclaimed water rule language in order to remove unintended restrictions and facilitate the use of reclaimed water. The proposed adoption also provides two separate categories for reclaimed water based upon the level of treatment and intended use, and replaces Fecal Coliform with E. Coli as the pathogen indicator for effluent sampling. The proposed adoption also allows additional uses of reclaimed water through wetlands augmentation and crop irrigation and defines new application requirements, design criteria, and effluent standards for these new uses.

### **GENERAL DESCRIPTION OF THE PROPOSED AMENDMENT TO RULES 15A NCAC 02T .0113 AND .0506**

The proposed amendments to 15A NCAC 02T .0113 and .0506 are necessary in order to revise existing rule references to be consistent with the citations in the newly proposed subchapter 15A NCAC 02U.

## **GENERAL DESCRIPTION OF THE PROPOSED REPEAL OF RULES 15A NCAC 02T .0901-.0915**

The proposed repeal of the existing reclaimed water rules in Section .0900 of subchapter 15A NCAC 02T is necessary in order to create a new subchapter 15A NCAC 02U for reclaimed water. This change will categorize reclaimed water as a resource, rather than associating it with a set of rules that address wastewater disposal. It will also allow for easier modification of the rules if new beneficial uses for reclaimed water are allowed in the future.

## **HOW TO SUBMIT COMMENTS**

The purpose of this announcement is to encourage those interested in these rule changes to provide comments. Those who attend a public hearing may make relevant verbal comments, and/or submit written comments, data or other relevant information. The Hearing Officers may limit the length of time for presentations, if necessary, so that all those who wish to speak may have an opportunity to do so. Therefore, written copies of statements that exceed three minutes are requested. All written comments must be submitted by April 27, 2010 to:

Jon Risgaard  
NC DENR-Division of Water Quality, Aquifer Protection Section  
1617 Mail Service Center, Raleigh, NC 27699-1617  
(919) 715-6167  
[Jon.Risgaard@ncdenr.gov](mailto:Jon.Risgaard@ncdenr.gov)

The EMC is very interested in all comments pertaining to the proposed new rules and the proposed rule amendments. All persons interested and potentially affected by the proposals are strongly encouraged to read this entire announcement and make comments on the proposed new rules and the proposed rule amendments. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new rule (see General Statute 150B 21.2 (g)). The estimated effective date for the final rules pursuant to this hearing process is September 1, 2010.

## **FOR QUESTIONS OR REQUESTS FOR ADDITIONAL INFORMATION**

Existing Division of Water Quality rules are located on the internet at [http://h2o.enr.state.nc.us/admin/rules/codes\\_statutes.htm](http://h2o.enr.state.nc.us/admin/rules/codes_statutes.htm). In addition, this announcement and a copy of the proposed rule adoption and revision is located on the internet via <http://portal.ncdenr.org/web/wq/event-calendar> (click on calendar icon under "Events Calendar" tab). Further explanations and details on the proposed new rules and proposed rule amendments may be obtained by contacting:

Lori Montgomery  
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1617 Mail Service Center, Raleigh, NC 27699-1617  
(919) 715-6187  
[Lori.Montgomery@ncdenr.gov](mailto:Lori.Montgomery@ncdenr.gov)

In the case of inclement weather on the day of a scheduled public hearing, please contact Lori Montgomery at the above telephone number for a recorded message regarding any changes to the location, date, or time of the hearing.